



09-16-03

AF/2700
2762

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Thomas J. Sullivan et al.
Appl. No.: 09/385,489
Filed: August 30, 1999
Title: SYSTEM AND METHOD FOR ADMINISTERING PROMOTIONS
Art Unit: 2162
Examiner: D. Lastra
Docket No.: 0110754-620

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Sir:

I hereby certify that the following documents relating to the above-identified application:

1. Transmittal Letter (General – Patent Pending);
2. Appellants' Supplemental Reply to Examiner's Revised Answer (in triplicate); and
3. Return Receipt Postcard.

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on September 15, 2003.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

Robert Buccieri

Name of Person Mailing Correspondence

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**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
0110754-629

In Re Application Of: Thomas J. Sullivan et al.

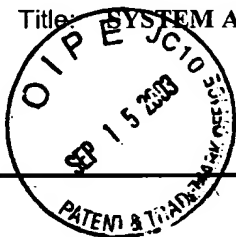
Serial No.
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Filing Date
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Examiner
D. Lastra

Group Art Unit
2162

Title: SYSTEM AND METHOD FOR ADMINISTERING PROMOTIONS



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Transmittal Letter (General - Patent Pending); Appellants' Supplemental Reply To Examiner's Revised Answer (in triplicate) (2 pages); and Postcard Return Receipt.

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02-1818

Signature

Adam H. Masia (Reg. No. 35,602)
BELL, BOYD & LLOYD LLC
P. O. Box 1135
Chicago, Illinois 60690-1135

Dated: September 15, 2003

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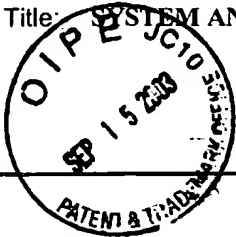
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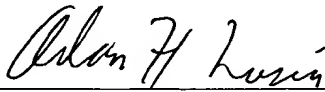
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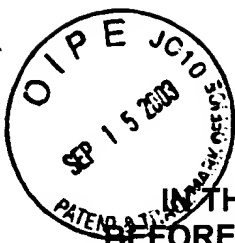
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CC:



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Commissioner for Patents
Washington, DC 20231

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APPELLANTS' SUPPLEMENTAL REPLY TO EXAMINER'S REVISED ANSWER

Sir:

Appellants submit this Supplemental Reply to the Examiner's Revised Answer dated July 18, 2003. Appellants previously submitted Appellants' Reply to the Examiner's Answer on March 13, 2003. The arguments set forth therein are incorporated herein. Appellants also previously submitted a Request for Oral Hearing on March 13, 2003.

Claims 1 to 94 are pending in the application. Claims 1 to 17, 19 to 62, 64 to 82 and 84 to 94 stand rejected under 35 U.S.C. §102(a) as being unpatentable over U.S. Patent Serial No. 5,832,458 ("*Jones*"). Claims 18, 63 and 83 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Jones*.

The Board of Appeals appears to have required the Examiner to further address the rejection of dependent Claims 18, 63 and 83 under 35 U.S.C. §103(a).

In the Examiner's Revised Answer, the Examiner addressed the rejection of dependent Claims 18, 63 and 83. Generally, the Examiner stated that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to know that if *Jones* facilitates payments to retailers, then using an electronic fund transfer system would be an obvious feature to add.

Appellants resubmit that:

- a. Dependent Claims 18, 63 and 83 respectfully depend from independent Claims 1, 47 and 77; and

- b. *Jones* does not anticipate, disclose, teach, or suggest the method of independent Claim 1, the method of independent Claim 47 or the method of independent Claim 77 for at least the reasons stated in Appellants' Appeal Brief and Appellants' previous Reply Brief.

Accordingly, if the rejection of these independent claims based on *Jones* does not stand for the reasons stated above, it follows that the rejection of the dependent claims should also not stand because they are based on a modification of *Jones*. In other words, if *Jones* does not anticipate, disclose, teach or suggest the inventions of independent claims 1, 47 or 77, then it would not be obvious to a person of ordinary skill in the art at the time the invention was made to simply add an electronic fund transfer system to *Jones*, to render dependent claims 18, 63 and 83 obvious.

The rest of the Examiner Revised Answer reiterates the Examiner's previous arguments, which Appellants have responded to in the Appellants' Appeal Brief and Appellants' previous Reply Brief. Therefore, no further response to is necessary.

For the reasons set forth therein, Appellants respectfully submit that *Jones* does not expressly or inherently disclose, teach or suggest the present invention and that the Examiner has failed to establish that *Jones* expressly or inherently discloses the numerous elements in the claims which are not present in *Jones*. It is respectfully submitted that the Claims 1 to 94 are in condition for allowance and the rejections of such claims should be reversed.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

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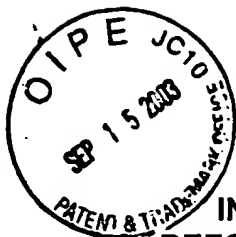
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